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July 14, 2015

Hon. Laura Taylor Swain  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: *Ottah v. BMW et al.*, Civil Action No. 1:15-cv-02465-LTS-KNF**

Dear Judge Swain:

My firm represents defendant Jaguar Land Rover North America, LLC (“JLRNA”) in the above-captioned case. Your honor has ordered a pre-motion conference for July 16, 2015 to consider the anticipated motions of defendants FCA U.S. LLC (“Fiat-Chrysler”), Ford Motor Company (“Ford”) and General Motors Company (“GM”). Order, July 10, 2015 (Dkt. No. 65). JLRNA respectfully asks to join this conference, as it anticipates seeking permission to file similar motions, namely: (1) a motion to dismiss plaintiff’s Amended Complaint for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6) because of plaintiff’s inadequate infringement allegations, (2) a motion to dismiss plaintiff’s Amended Complaint for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) because plaintiff does not allege that he owns the asserted patent and therefore lacks standing, and (3) a motion to sever plaintiff’s claims against JLRNA from his claims against other defendants, pursuant to 35 U.S.C. § 299.

Plaintiff’s allegations against JLRNA in the Amended Complaint are identical to his allegations against Ford, Fiat-Chrysler, GM and the other defendants. JLRNA’s bases for its anticipated motions to dismiss and sever appear to overlap with the anticipated motions described by Ford, Fiat-Chrysler and GM in their letters to the Court. *See* Ltr. from D. Conforti to Pauley, J., June 8, 2015 (Dkt. No. 16); Ltr. from T. Noshier to Pauley, J., June 19, 2015 (Dkt. No. 24); Ltr. from M. Supko to Pauley, J., June 25, 2015 (Dkt. No. 43). Accordingly, JLRNA will not repeat those arguments here.

Given the overlap of the issues, JLRNA respectfully requests that it be joined to the pre-motion conference already scheduled for July 16, 2015, at 3:30 p.m. We are available at the Court’s convenience to provide any further information as needed.

LATHAM & WATKINS<sup>LLP</sup>

In addition, plaintiff's Amended Complaint identifies an entity named "Jaguar/Land Rover." To JLRNA's knowledge, no such entity exists. JLRNA respectfully requests that the docket be updated to replace "Jaguar/Land Rover" with Jaguar Land Rover North America, LLC, the entity that waived service of process and has appeared in this case.

Best Regards,

/s/ Clement J. Naples  
Clement J. Naples

cc: Mr. Chikezie Ottah (*via Federal Express Overnight Delivery*)  
All Counsel of Record (*via CM/ECF*)